

- (1) a veteran (as defined in section 101 of title 38, United States Code) with a discharge characterized as an honorable discharge and not on account of alienage.
- (2) on active duty (other than active duty for training) in the Armed Forces of the United States, or
- (3) the spouse or unmarried dependent child of an individual described in subparagraph (A) or (B).
- (c) APPLICATION OF TERM FEDERAL MEANS-TESTED PUBLIC BENEFIT.—
- (4) The limitation under subsection (a) shall not apply to assistance or benefits under paragraph (2).
- (5) Assistance and benefits under this paragraph are as follows:
- (6) Medical assistance described in section 401(b)(1)(A).
- (7) Short-term, non-cash, in-kind emergency disaster relief.
- (8) Assistance or benefits under the National School Lunch Act.

(D) Assistance or benefits under the Child Nutrition Act of 1966.

(E) Public health assistance (not including any assistance under title XIX of the Social Security Act) for immunizations with respect to immunizable diseases and for testing and treatment of symptoms of communicable diseases whether or not such symptoms are caused by a communicable disease.

(F) Payments for foster care and adoption assistance under parts B and E of title IV of the Social Security Act for a parent or a child who would, in the absence of subsection (a), be eligible to have such payments made on the child's behalf under such part, but only if the foster or adoptive parent (or parents) of such child is a qualified alien (as defined in section 431).

(G) Programs, services, or assistance (such as soup kitchens, crisis counseling and intervention, and short-term shelter) specified by the Attorney General, in the Attorney General's sole and unreviewable discretion after consultation with appropriate Federal agencies and departments, which (i) deliver in-kind services at the community level, including through public or private nonprofit agencies; (ii)

do not condition the provision of assistance, the amount of assistance provided, or the cost of assistance provided on the individual recipient's income or resources: and (iii) are necessary for the protection of life or safety.

(H) Programs of student assistance under titles IV, V, IX, and X of the Higher Education Act of 1965, and titles III, VII, and VIII of the Public Health Service Act.

(I) Means-tested programs under the Elementary and

(I) Benefits under the Head Start Act.

(10) Benefits under the Job Training Partnership Act.

(d) SPECIAL RULE FOR REFUGEE AND ENTRANT ASSISTANCE FOR CUBAN AND HAITIAN ENTRANTS.—The limitation under subsection

(a) shall not apply to refugee and entrant assistance activities.

authorized by title IV of the Immigration and Nationality Act

and section 501 of the Refugee Education Assistance Act of 1980,